GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – Smt. S.Vidyavathi, former P.D., DW & CDA, Ongole and presently P.D., DW & CDA, Nellore district – Certain allegations of forwarded the pension proposals of Sri. Y.Madhu Kumar, Retd. Supdt., O/o. PD, DW &CDA, Prakasam District to the AGAP, Hyderabad, without mentioning the disciplinary case - Departmental Proceedings initiated under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 - Articles of Charges - Issued.

DEPT. FOR WOMEN, CHILDREN, DISABLED & SENIOR CITIZENS (ESTT. A3)

G.O.RT.No. 166 Dated 01-10-2015.
Read:-

Ref: From the Director, WD & CW, A.P., Hyderabad, Letter No.2486/Vig-1/2014, dt:05.08.2015.

& & &

ORDER:-

It is proposed to hold an enquiry against Smt. S.Vidyavathi, former PD, DW & CDA, Ongole and presently working as P.D., DW & CDA, Nellore district, in accordance with the procedure laid down under Rule - 20 of the A.P. Civil Services (C.C & A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A statement of imputations of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexures – III & IV).

3. Smt. S.Vidyavathi, former PD, DW & CDA, Ongole and presently working as P.D., DW & CDA, Nellore district, is directed to submit within ten days of the receipt of this order, a written statement of her defense.

4. Smt. S.Vidyavathi, former PD, DW & CDA, Ongole and presently PD, DW & CDA, Nellore district, is informed that an inquiry will be held only in respect of those articles of charges which are not admitted. She should, therefore, specifically admit or deny each article of charge.

5. Smt. S.Vidyavathi, former PD, DW & CDA, Ongole and presently PD, DW & CDA, Nellore district, is further informed that if she does not submit her 'Written Statement of Defense' on or before the date specified in para - 3 above or otherwise fails or refuses to comply with the provisions of rule 20 of APCS (CC&A) Rules 1991 or the directions issued in pursuance of said rules, the enquiry authority may hold an enquiry against her ex-parte.

6. Attention of Smt. S.Vidyavathi, former PD, DW & CDA, Ongole and presently PD, DW & CDA, Nellore district, is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further her interest in respect of matters pertaining to her service under the Government. If any representation is received on her behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that Smt. S.Vidyavathi, former PD, DW & CDA, Ongole and presently PD, DW & CDA, Nellore district, is aware of such a representation and that it has been made at her instance and action will be taken against her suitably for violation of Rule - 24 of A.P.C.S (Conduct) Rules, 1964.

7. The receipt of the Memorandum along with the copies of the basis of charge be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. (Smt.) POONAM MALAKONDAIAH,
PRINCIPAL SECRETARY TO GOVERNMENT (FAC).

To
Smt. S.Vidyavathi, former PD, DW & CDA, Ongole and presently PD, DW & CDA, Nellore district and return the served copy with dated acknowledgement through the Director, W.D & C.W., A.P., Hyderabad.
The Director, WD & CW, A.P., Hyderabad.
Copy to: -
The Regional Deputy Director, W.D & C.W., Ongole.
SF / SCs.

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE – I

Statement of articles of charge framed against Smt.S.Vidyavathi, former Project Director, DW & CDA, Ongole and presently working as P.D., DW &CDA, Nellore District.

Article No.I :- That Smt.S.Vidyavathi, former Project Director, DW & CDA, Ongole and presently PD, DW &CDA, Nellore District, while working as Project Director, DW & CDA, Ongole has forwarded the Pension proposals of Sri Y.Madhu Kumar, Retd., Superintendent, O/o. Project Director, DW & CDA, Prakasam District, directly to the Accountant General, A.P. Hyderabad vide Lr.No.A1/156/2014, dt:24.04.2014 of Project Director, DW & CDA, Ongole, without mentioning the disciplinary case of misappropriation of Government funds pending against him and without submitting the proposals through proper channel i.e., through RDD, WD & CW, Ongole, in violation of Rule 52(ii) (a) and (b) read with rule 58 (1) of A.P. Revised Pension Rules 1980, though instructions were issued by the Director/Commissioner, WD & CW, A.P., Hyderabad, vide Memo.No.11293/D2/2010, dt:03.12.2010. Thus, she violated the instructions of the higher authorities and did not follow the procedure while forwarding the Pension proposals to the A.G., A.P., Hyderabad, as per rules and also acted beyond her power in the cadre by violating the procedure. Thus, she has violated the rules, under Rule-3 of APCS (Conduct) Rules, 1964. Hence, the charge.

Basis of the Charge:-

1. Rc.No.743/A/2012, dt:19.03.2015 of Regional Deputy Director, WD & CW, Ongole.
2. Govt.Memo.No.1773/Estt.A3/2014-2, dt:31.12.2014.

Dr. (Smt.) POONAM MALAKONDAIAH,
PRINCIPAL SECRETARY TO GOVERNMENT (FAC).

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ANNEXURE – II

Statement of imputations of mis-conduct or misbehavior in support of articles of charges framed against Smt.S.Vidyavathi, former Project Director, DW & CDA, Ongole and presently working as Project Director, DW & CDA, Nellore District.

Article No.I :- That Smt.S.Vidyavathi, former Project Director, DW & CDA, Ongole and presently Project Director, DW & CDA, Nellore District, while working as Project Director, DW & CDA, Ongole has forwarded the Pension proposals of Sri Y.Madhu Kumar, Retd., Superintendent, O/o. Project Director, DW & CDA, Prakasam District, directly to the Accountant General, A.P. Hyderabad vide Lr.No.A1/156/2014, dt:24.04.2014 of Project Director, DW & CDA, Ongole without mentioning the disciplinary case of misappropriation of Government funds pending against him and without submitting the proposals through proper channel i.e., through RDD, WD & CW, Ongole, by violating the procedure, under Rule 52(ii) (a) and (b) read with rule 58 (1) of A.P. Revised Pension Rules 1980, though instructions were issued by the Director/Commissioner, WD & CW, A.P., Hyderabd, vide Memo.No.11293/D2/2010, dt:03.12.2010 to all the Regional Deputy Director WD & CW & Project Directors, DW & CDAs in the state.

In the said instructions, it is clearly indicated that “the Regional Deputy Director, WD & CW /RJD, WD & CW, who is authority for appointment of NGOs alone is competent to sanction pension of the NGOs, but not the Project Directors, DW & CDA or CDPOs, ICDS Project. Further, the Project Directors, DW & CDA concerned being the authority for appointment of Class IV in their respective Districts are competent under intimation to the Regional Deputy Directors concerned”.

Further, as per the instructions issued by the Govt. vide Circular Memo.No.607/83/A2/Pen.I/2014, dt:02.04.2014 that all HODs are requested to ensure that “the proposals for grant of pension to all employees, who have either retired from service or will be retiring from the service on or before June 01, 2014 are sent to A.G., A.P., Hyderabad. Further, even in the case of employees against whom disciplinary action is pending, the pension proposals shall be forwarded to the AG, A.P., Hyderabad duly mentioning the details. The head of the concerned office will be held responsible for any laxity on this matter”. Further, Sri. Y.Madhu Kumar, retired from service on 31.03.2014, as Superintendent, O/o. Project Director, DW & CDA, Prakasam District. Therefore, she had violated the instructions of the higher authorities and acted beyond her power in the cadre by violating the procedure for forwarding the Pension proposals to the A.G., A.P., Hyderabad, as per rules. Thus, she has violated the rules under Rule-3 of APCS (Conduct) rules, 1964. Hence, the Charge.

Dr. (Smt.) POONAM MALAKONDAIAH,
PRINCIPAL SECRETARY TO GOVERNMENT (FAC).

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ANNEXURE – III

List of documents by which the articles of charge framed against Smt.S.Vidyavathi, former Project Director, DW & CDA, Ongole and presently working as P.D., DW &CDA, Nellore District are proposed to be sustained.

1. Rc.No.743/A/2012, dt:19.03.2015 of Regional Deputy Director, WD & CW, Ongole.
2. Govt.Memo.No.1773/Estt.A3/2014-2, dt:31.12.2014.
3. Lr.No.A1/156/2014, dt:24.04.2014 & 23.06.2014 of Project Director, DW & CDA, Ongole.
4. Memo.No.11293/D2/2010, dt:03.12.2010 of the Director, WD & CW Dept., A.P. Hyderabad.
5. Circular Memo.No.607/83/A2/Pen.I/2014, dt:02.04.2014 of Govt. of A.P., Finance (Pension-I) Department.

Dr. (Smt.) POONAM MALAKONDAIAH,
PRINCIPAL SECRETARY TO GOVERNMENT (FAC).

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE – IV

List of witnesses by whom the articles of charge framed against Smt.S.Vidyavathi, former Project Director, DW & CDA, Ongole and presently working ass P.D., DW &CDA, Nellore District are proposed to be sustained.

-Nil-

Dr. (Smt.) POONAM MALAKONDAIAH,
PRINCIPAL SECRETARY TO GOVERNMENT (FAC).

// FORWARDED :: BY ORDER //

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